

REPORT TO CITY CLERK
SPECIAL DESIGNATED LICENSE APPLICATION

Log # 28

ok Police
ok City Attorney
ok Bureau of Fire Prevention
ok Health Department

Feb 11, 2008 Agenda

DATE: 12/26/07

Return by: 1/18/08

CATERER: ☒

NON-CATERER ☐

APPLICANT NAME & ADDRESS: SPIKES BEACH BAR & GRILL, 2300 JUDSON STREET

LOCATION OF EVENT: OUTDOOR EVENT IN PARKING LOT IMMEDIATELY ADJACENT TO
LICENSED PREMISES

DATE (S) & TIME(S) OF EVENT : MAY 17, 2008; 3PM TO 7 PM

Alternate Dates: None

RECOMMENDATION OF APPROVAL OR DENIAL

☐ APPROVED

CONDITIONS _____

☐ DENIED

REASON(S) FOR _____

Signature

(If needed, use back for additional space)

Date

PUBLIC HEARING BEFORE COUNCIL: *February 11, 2008*

(SDLRPT.JER)

*(Notice letter sent 2/5/2008)
Called Lutha 2/6*

APPLICATION FOR SPECIAL DESIGNATED LICENSE

Submit to: City Clerk's Office
555 S. 10th Street, Lincoln, NE 68508
(402) 441-7436 441-7438 Joan

CITY OF LINCOLN
NEBRASKA

2007 DEC 19 AM 9 14
CITY CLERK'S OFFICE

FILED

PLEASE TYPE OR PRINT; APPLICANT MUST COMPLETE ALL SECTIONS OF THIS FORM

INSTRUCTIONS

- ☐ All Applications must be received in the City Clerk's Office **21 CALENDAR DAYS PRIOR** to the date of the event (the day of the event, is **not** counted)
- ☐ Complete and return the **ORIGINAL and THREE COPIES** to the City Clerk's Office
- ☐ **FEES:** If applicant does not have a liquor caterer's license, then a license fee of **\$40 is due** (per day) and made payable to the **Nebraska Liquor Control Commission** and a license fee of **\$80 is due** (per day) payable to the **City of Lincoln**
- ☐ **TWO SEPARATE CHECKS**
- ☐ **INDOOR EVENTS** for Special Designated Licenses are approved by the City Clerk
- ☐ **OUTDOOR EVENTS** for Special Designated Licenses may require City Council approval. Applicant is required to attend a public hearing if Council approval is required

1. Type of Beverage(s) to be served: ☒ Beer ☒ Wine ☒ Distilled Spirits

2. Name and Full Address of Applicant:
(City, State, County, Zip)

License number and Class
(Example C/K) →

2300 Judson

IK 67318

Spikes Beach Bar + Grille Lincoln, Ne. 68521

3. Address or location of premises to be covered by license:
(City, County, Zip Code)

Spikes Beach Bar + Grille 2300 Judson Lincoln, Ne. 68521

4. Is this **PREMISE** currently licensed under the Nebraska Liquor Control Act? ☒ Yes ☐ No

David R. Sutko 900 Northborough Ln Lincoln, Ne. 68505

5. Name and Address of the owner or lessee and name of principal occupant of the premises for which the license is requested.

David R. Sutko cell: 770-2227 Bill Wright cell: 890-5727

6. Please list the name and telephone number of the primary event supervisor, who will actually be present at the location of the event when it occurs, that can be contacted by law enforcement before and during the event, and who is responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. Supervisor must sign on Page 2.

Saturday, May 17th, 2008

7. Date(s) of Event: (If a Sunday, sales are limited to 12 noon to 1am the following Monday)

List Alternate Date or Location in the Event of Bad Weather:

N/A

8. Time(s) of Event: (Example 8am to 1am, is considered one day)

FROM: 3pm

TO: 7pm

9. Describe the Type of Activity to be carried on during the time period for which the license is requested.

Ending location of Frontier Harley MOA Poker Run, live band, beer garden, awards, donations

10. Provide an Estimated Number of Attendees at this Event 1500. If the number of attendees is over 150, attach a separate page indicating the steps that will be taken to prevent underage persons access to alcoholic beverages.

SEE Attached

11. List the Number of SDL's that you have applied for at this specific location in the last six months 0.

- Page 1 of 2 -

12. Description of the Premises: ☐ Inside Building ☒ Outdoor Area → ☐ Attach City Supplemental Form

Dimensions of the area (in feet) to be covered by license: 140' x 100'. Please draw in the space provided below, the area where liquors will be sold and consumed.
(Length) (Width)

See attached

If outdoor area, how will premises be separated from areas open to the general public? ☒ Fence ☐ Tent ☐ Other
If marked Fence, please describe the type: basic snow/construction fence
If marked Other, please explain:

Outdoor Events require the City Supplemental Form to be attached.

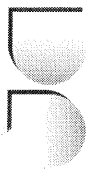
13. Is the premises to be covered by the license located within the city limits? ☒ Yes ☐ No
14. Is the premises to be covered by the license within 150 feet of any church, school, hospital, or home for the aged or indigent persons or for veterans, their wives or children? ☐ Yes ☒ No
15. Is the premises to be covered by the license within 300 feet of any university or college campus? ☐ Yes ☒ No
16. Explain how alcoholic liquors will be purchased by the licensee. If purchased from a retail licensee, please give the name and license number. Purchased through our current distributors
17. Will the premises to be covered by the license comply with all Nebraska sanitation laws? ☒ Yes ☐ No
18. Are there separate toilets for both men and women? ☒ Yes ☐ No
19. Will there be any games of chance operating during the event? ☐ Yes ☒ No
Notice: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non-Profit Organizations. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.
20. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

Signature [Signature] Owner/President 11/8/07 402-770-2227
(Authorized Representative/Applicant) (Title) (Date) (Phone)

Signature _____
(Supervisor) (Title) (Date) (Phone)

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the City Clerk of Lincoln, Nebraska.

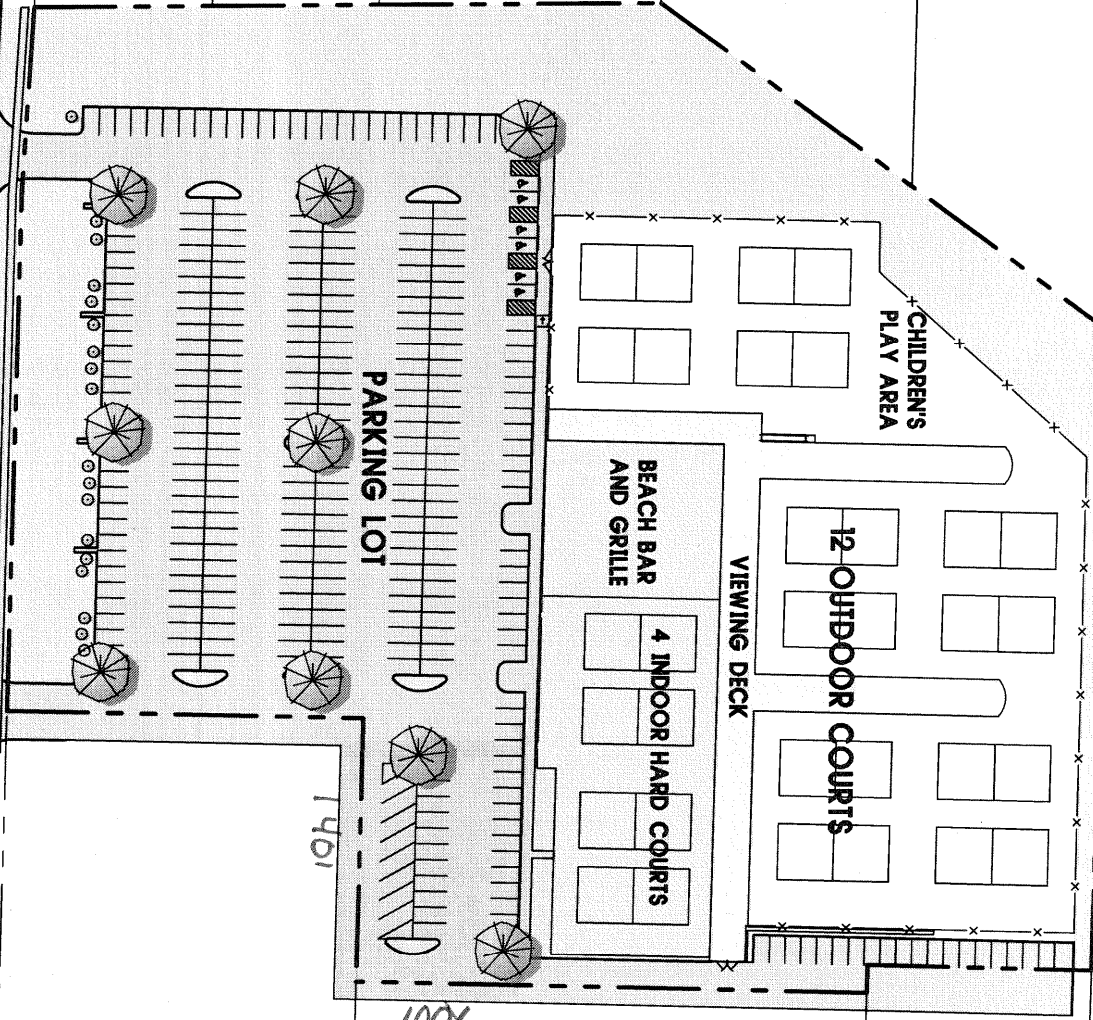
In Compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format. <http://www.nol.org/home/NLCC/>



N. 23RD ST.

JUDSON ST.

N. 25TH ST.



1461

area to be used

Q.10 There will be (1) entrance gate and (1) exit gate, both will be manned by two (2) person teams.

The Entrance team will I.D. everyone and wrist band those 21 years of age and older and hand mark those 20 years of age and younger. The exit team will monitor all persons exiting to make sure no alcoholic beverages will exit the designated "beer garden" area.

* THE FOLLOWING SUPPLEMENTAL FORM IS REQUIRED FOR ALL OUTDOOR EVENTS *

**SPECIAL DESIGNATED LICENSE APPLICATION
SUPPLEMENTAL FORM**

The Special Designated License process is not intended to be used as a means to expand the existing licensed premise.

Name of Event: Muscular Dystrophy Association Poker Run

Applicant and Sponsoring Organization or Person (if applicable): Dave Sutto of Spikes Beach Bar + Grille

Date of Event: Saturday, May 17th, 2008 Time of Event: 3pm - 7pm

Has the applicant applied for and received liquor liability insurance? ☐ Yes ☐ No

Number of persons expected to attend: 1500 Number of persons under 21 expected: very minimal

Is the event open to the public? ☒ Yes ☐ No

How will you ensure that minors will not be served or consume beverages containing alcohol: All persons will be wrist banded over 21 years of age and those under 21 will be handmarked. The "Beer Garden" will as be monitored by security/staff.

Will food be served? ☒ Yes ☐ No

If yes, please list food to be served: Burgers, Brats, Hotdogs, etc. Prepackaged chips

Will non-alcoholic beverages be served: ☒ Yes ☐ No

If yes, please list non-alcoholic beverages to be served: Water, pop, gatorade, redbull, monster, rumble

Please identify the beverages containing alcohol that will be served: ☒ Wine ☒ Beer ☒ Distilled Spirits

Will this be a cash or complimentary bar? ☒ Cash ☐ Complimentary

Who will serve the beverages containing alcohol? members of our current bartending staff

Have the designated servers received responsible beverage service training?

Will there be a charge for admission?

In the last 12 months, have you received notice of a liquor law violation that occurred during an event at which you were the special designated licensee?

If so, explain: _____

[Signature]
Applicant's Signature

11/8/07
Date

FILED
CITY CLERK'S OFFICE
2007 DEC 19 AM 11:49
CITY OF LINCOLN
NEBRASKA

December 28, 2007

Mr. David Sutko
Spikes Beach Bar & Grill
2300 Judson Street
Lincoln, NE 68521

Re: Special Designated License, Event of May 17, 2008

Dear Mr. Sutko:

The purpose of this letter is to advise you that your application for an outdoor event involving the sale and consumption of alcoholic beverages in the parking lot immediately adjacent to your business at 2300 Judson Street has been recommended for denial due to the fact that the use of a portion of your parking lot would be a violation of the zoning ordinance relating to parking requirements. The Plans Examiner in Zoning Administration who reviewed your application site plan and the zoning laws is Michele Williamson.

As I advised you in our telephone conversation of this date, that because the application is for an outdoor event not previously approved by the City Council, this application will be placed on the Council's agenda. Of course, you also have the right to appeal this decision to the City Council due to the recommendation of denial. The earliest public hearing date that can be scheduled is January 28, 2008 at 5:30 p.m.

If you have any questions in regard to this matter, please do not hesitate to contact me at 441-7438 or jross@lincoln.ne.gov.

Sincerely,



Joan E. Ross, CMC
City Clerk

cc: Investigator Fosler
Chuck Schweitzer
Michele Williamson

COPY

Postponed -
application denied,
will re-submit
site plan.

*Spikes SDL Denial
Letter.*

Chuck J Schweitzer/Notes
12/28/2007 09:00 AM

To Joan E Ross/Notes@Notes, Michele L
Williamson/Notes@Notes
cc Joyce L Jensen/Notes@Notes
bcc

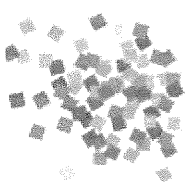
Subject Re: Special Designated License Application -Spikes 

Joan,

I have reviewed the application and also had Michele Williamson (Plans Examiner in Zoning Administration for Building and Safety Dept.) review the application for appropriate parking. Michele has determined that with Spikes using part of their required parking for the Special Designated Liquor license, they would not have the required parking spaces they need for their business. I am recommending denial of this application based on the lack of required parking spaces.

Thanks,

Chuck Schweitzer
Bureau of Fire Prevention
Lincoln, Ne 68508
402-441-6441
Fire Inspector/Investigator
Joan E Ross/Notes

 Joan E Ross/Notes
12/26/2007 12:49 PM

To Chuck J Schweitzer/Notes@Notes, Joyce L
Jensen/Notes@Notes
cc

Subject Special Designated License Application -Spikes

Outdoor Event. Need to go before City Council will be determined by City Clerk and Investigator Fosler.


Spikes SDL.PDF

Joan Ross, CMC
City Clerk
402/441-7438
Fax: 402/441-8325

Joyce L Jensen/Notes
01/02/2008 04:14 PM

To Joan E Ross/Notes@Notes, Chuck J
Schweitzer/Notes@Notes
cc Kathy King/Notes@Notes, Janet K English/Notes@Notes
bcc
Subject Fw: Special Designated License Application -Spikes

----- Forwarded by Joyce L Jensen/Notes on 01/02/2008 04:12 PM -----



Kathy King/Notes
01/02/2008 01:56 PM

To Joyce L Jensen/Notes@Notes
cc
Subject Re: Fw: Special Designated License Application -Spikes

Good afternoon all,
Spike's does have adequate kitchen and restroom facilities to handle an event of this size. The establishment has maintained a satisfactory sanitation inspection history with me for the last three years as well. I have no reason to recommend a denial from a Health standpoint. Thanks.

Kathy King
Registered Environmental Health Specialist
Lincoln- Lancaster County Health Dept.
402) 441- 8025 Cellular 402) 440- 6082
fax 402) 441- 6206

Joan E Ross/Notes

12/26/2007 12:49 PM

To Chuck J Schweitzer/Notes@Notes, Joyce L Jensen/Notes@Notes
cc
Subject Special Designated License Application -Spikes

Outdoor Event. Need to go before City Council will be determined by City Clerk and Investigator Fosler.



SDX.

January 25th, 2008

Joan Ross
Office of the City Clerk
555 South 10th Street
Suite 103
Lincoln, NE 68508

Re: Special Designated License, Event of May 17, 2008

Dear Joan:

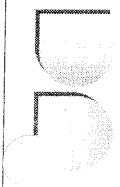
After conversations with you and Michele Williamson with Building and Safety, I have been informed of our denial as well as the reason for the denial. I was informed that our facility requires 291 parking stalls for daily business, and we have 295 according to Michele. However, I believe that the 20 stalls located north of our lot on the Northeast corner of our property were not included in the final stall count, thus freeing up a total of 24 stalls to be used without interfering with the daily required number of stalls. I have attached additional layouts to help communicate the desired area to be used, while staying within the 24 stall allotment. If either you or Michele has any questions, please do not hesitate to call. Thank you for working with me on this issue.

Sincerely,

David R. Sutko
Owner, Spikes Beach Bar & Grille

cc: Michele Williamson

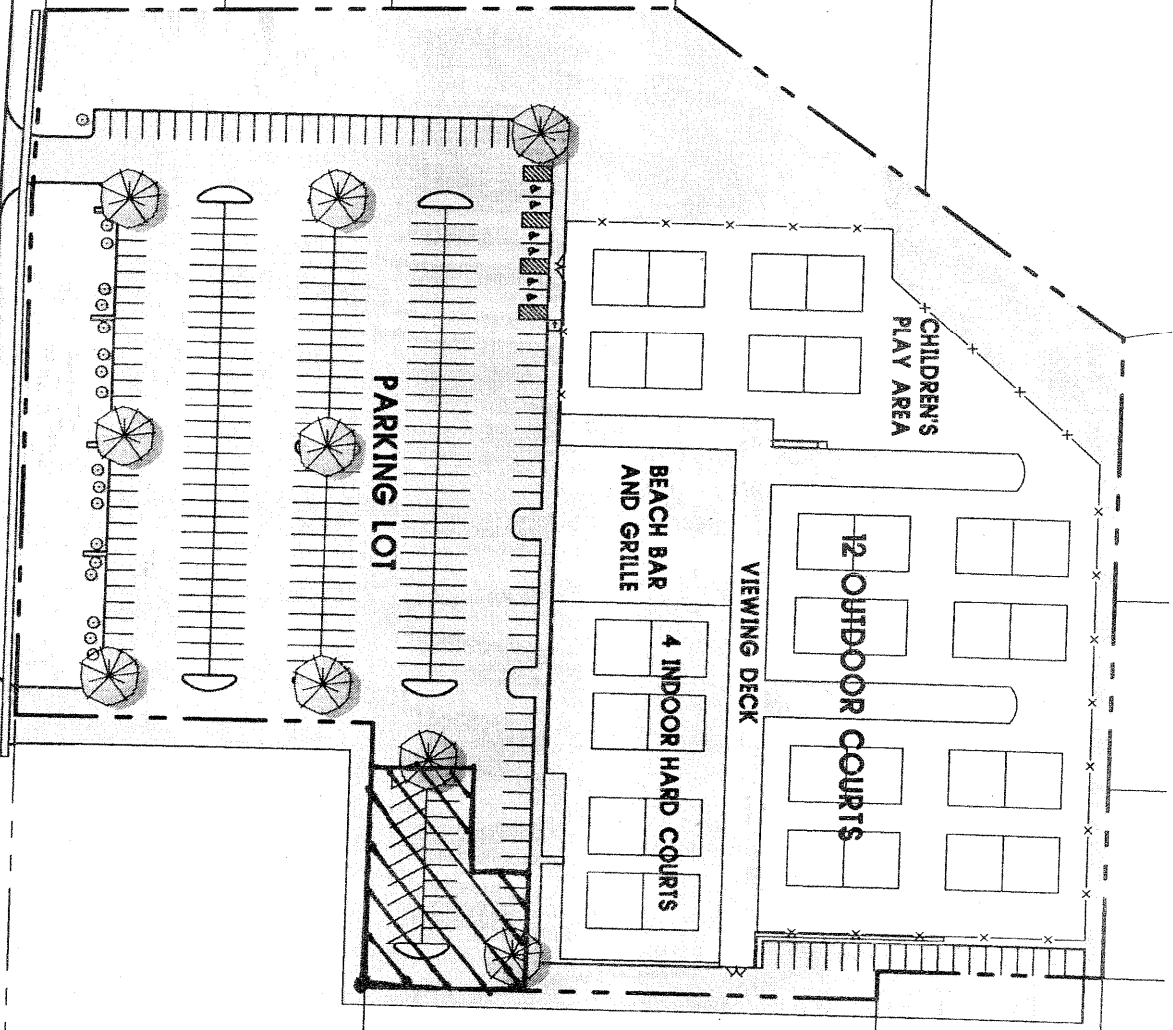
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CITY CLERK'S OFFICE
2008 JAN 28 PM 12 12

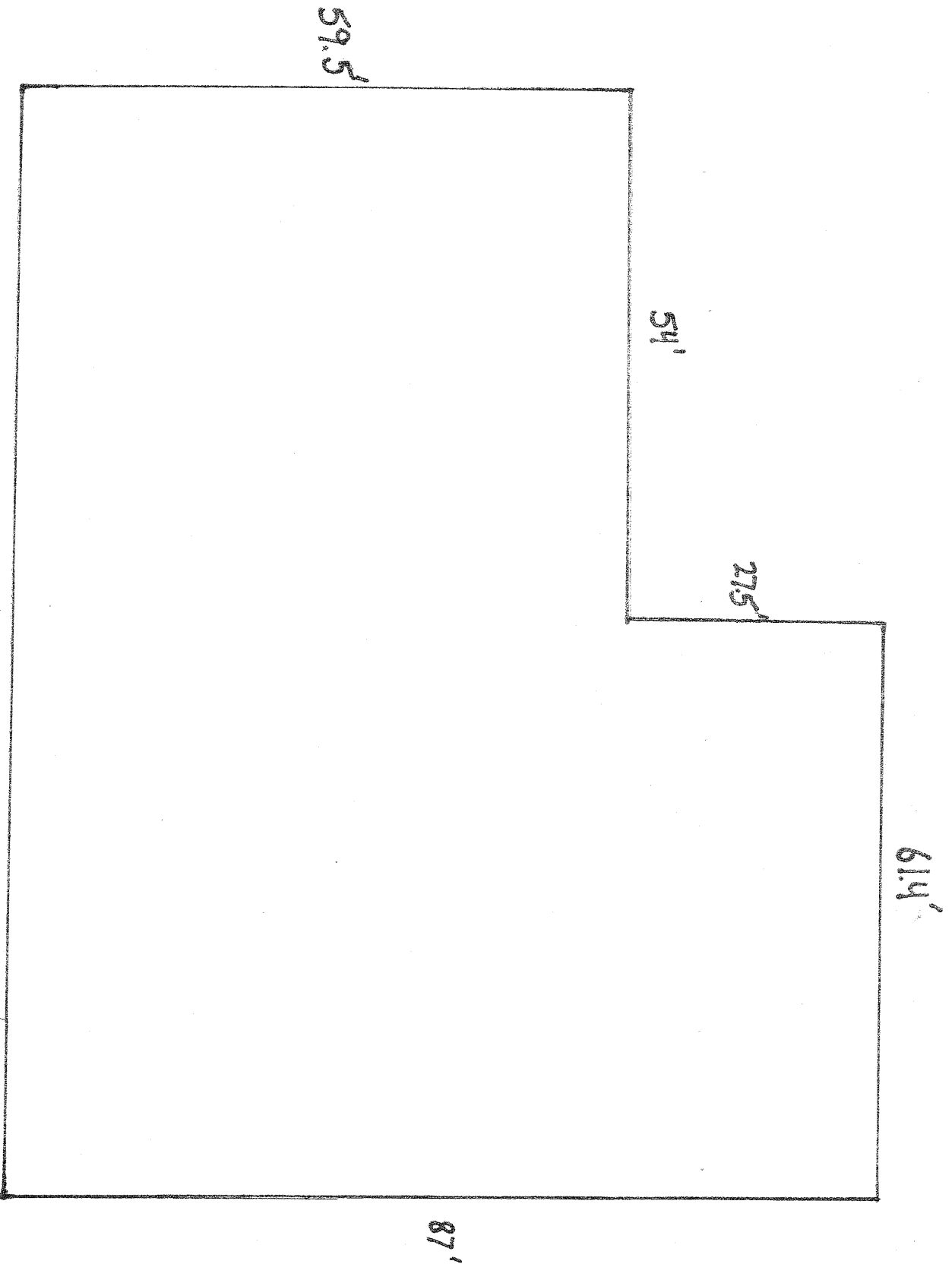


N. 23RD ST.

JUDSON ST.

N. 25TH ST.





61.4'

Stage

Dance Area

27.5'

ENTRANCE

54'

RESTROOMS

Seating/Social Area

87'

59.5'

Beer Truck

Beer Truck

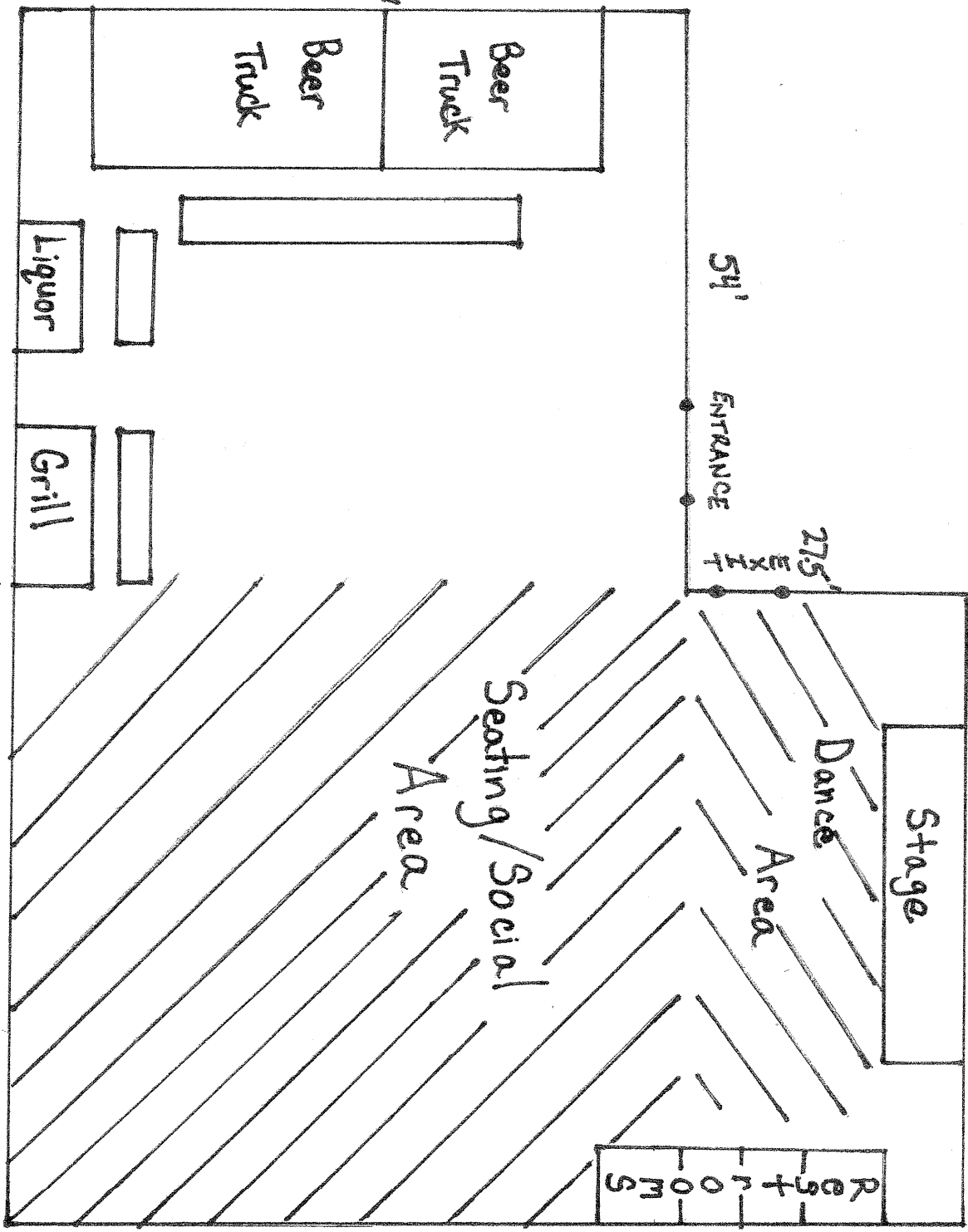


Liquor



Grill

115.4'





Joan E Ross/Notes
01/31/2008 10:12 AM

To Chuck J Schweitzer/Notes
cc Joyce L Jensen/Notes@Notes, Michele L
Williamson/Notes@Notes
bcc
Subject Re: Special Designated License Application -Spikes

Chuck,
Thank you for your recommendation on this application. I will place the application on the Council's agenda because Spikes has not held an outdoor event in this area in the past. Any future applications would be submitted to you and Health as customary, but would not be submitted to the City Council.

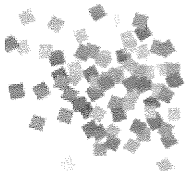
Joan Ross, CMC
City Clerk
402/441-7438
Fax: 402/441-8325
Chuck J Schweitzer/Notes

Chuck J Schweitzer/Notes
01/31/2008 09:48 AM

To Joan E Ross/Notes@Notes
cc Joyce L Jensen/Notes@Notes, Michele L
Williamson/Notes@Notes
Subject Re: Special Designated License Application -Spikes

Joan,
I have talked with Michele Williamson and she is satisfied with the new area to be used for this event that was shown to her in the information from Dave Sutko. With the event area to be used now meeting the requirements of Building and Safety Department, I am recommending approval of the Special Designated Liquor License for Spikes Bar and Grill for the May 17, 2008 event.
thanks,

Chuck Schweitzer
Bureau of Fire Prevention
Lincoln, Ne 68508
402-441-6441
Fire Inspector/Investigator
Joan E Ross/Notes



Joan E Ross/Notes
12/28/2007 11:10 AM

To Chuck J Schweitzer/Notes@Notes
cc Joyce L Jensen/Notes@Notes, Michele L
Williamson/Notes@Notes
Subject Re: Special Designated License Application -Spikes

December 28, 2007

Copy for Clerk

MR. DAVID SUTKO
SPIKES BEACH BAR & GRILL
2300 JUDSON STREET
LINCOLN, NE 68521

Re: Special Designated License, Event of May 17, 2008

Dear Mr. Sutko:

This letter is to advise you that Fire Inspector Chuck Schweitzer has recommended approval of the subject application.

As I advised you in a telephone conversation on December 28th, because the application is for an outdoor event not previously approved by the City Council, this application will be placed on the Council's agenda. The date of the hearing is **February 11, 2008 at 1:30 p.m.** The City Council respectfully requests your attendance at this hearing.

If you have any questions in regard to this matter, please do not hesitate to contact me at 441-7438 or jross@lincoln.ne.gov.

I want to take just a moment to thank you for your willingness to work with Building and Safety to ensure your event meets city codes and is a safe event for all involved.

Sincerely,

Joan E. Ross, CMC
City Clerk

cc: Investigator Fosler
Chuck Schweitzer
Michele Williamson

*E-mailed
2/5*